REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	24 April 1998
Name of applicant/court:	The District Court at Otahuhu
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Jung und Frei Nr. 109 Juli 1996
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Peenhill Ltd.
Author:	Not Applicable
Format:	Magazine
Country of Origin:	England
Language:	German

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Jung und Frei Nr. 109 Juli 1996* is classified as:
Objectionable.

The magazine exploits the nudity of children and young people to such an extent and in such a manner as to render the publication objectionable.

The large format, full colour and black and white magazine depicts and describes events, places, people and their ideas of interest to naturists. All text is in German except the titles of English-language video recordings that are advertised. The first words of the title mean 'young and free'. Naturism is portrayed as a family lifestyle embraced by people of many nationalities, appropriate for adults and children. The thirteen articles in the magazine appear under various headings, such as editorial, healthy eating, the environment, holidays, readers' letters, and a puzzle. An editorial statement at the bottom of page one gives 'the most important goal of naturism' as the healthy emotional and mental development of 'our children' into 'stable adults'.

The presentation of children and young persons' activities in images and text is given priority. The large majority of images feature naked children or young people. Naked boys and girls are depicted alone, in groups, or with naked adults who present as parents or other family members, playing or participating in recreational family or social events. While genitals, breasts and buttocks are usually fully exposed, there is no particular focus on these areas of the body.

On its face the magazine presents as having a legitimate purpose as a naturist lifestyle magazine. However, the predominant focus on children and young people as photographic subjects presents as an unbalanced representation of participants in the naturist lifestyle. Further, some images appear to be out of place or gratuitous, as they have little or no relationship to the text. Such images are dispersed throughout the magazine, and appear to have no purpose other than to capture reader attention. Overall the stories present as artificially constructed frames in which to locate images of naked boys and girls. While the simple style of writing indicates an intended readership of young people, the magazine is unlikely to appeal to children, and items such as the reader puzzle indicate that the magazine is rather intended for an adult readership. In combination these matters create significant ambiguity as to the purpose of the magazine, and diminish its apparent legitimate purpose. The extent and focus of child nudity in the magazine indicates an appeal to a broader readership than naturists, including adults who may find depictions of naked boys and girls titillating.

Consideration has been given to the relevant provisions of the New Zealand Bill of Rights Act 1990 as they relate to this publication. The Classification Office considers that the limit on the freedom of expression resulting from this classification is reasonable and demonstrably justifiable, given the manner in which, and extent to which, the magazine exploits the nudity of children and young persons.

OFLC Ref: 9800168